

REMARKS

An Office Action was mailed on February 11, 2003. Claims 1 - 15 are currently pending in the application. Applicants cancel claims 8 and 13 without prejudice or disclaimer, and amend claims 1 – 5, 9, 10, 14 and 15. No new matter is introduced. Support for the claim amendments may be found in Applicants' specification, for example, at page 10, line 18 through page 11, line 9).

REJECTION UNDER 35 U.S.C. § 103

Claims 1 – 5, 8 – 10 and 13 - 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,385,596 to Wiser et al. in view of U.S. Patent Publication No. 2003-0154168 to Lautenbacher. Claims 6, 7, 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wiser in view of Lautenbacher and U.S. Patent Publication No. 2002-0161709 to Floyd et al. Applicants cancel claims 8 and 13 without prejudice or disclaimer, and amend claims 1 – 5, 9 and 10 (including adding the limitations of canceled claim 8), and 14 and 15 (including adding the limitations of canceled claim 8). Applicants respectfully traverse the present rejections.

In amended independent claim 1, Applicants claim:

1. A method of providing a content, characterized in that:

when a content is transmitted to a user, an electronic water mark for preventing execution of said content is embedded in said content and at least information associated with the user, to whom said content is to be transmitted, is added to said content; and

when said content is executed, said information associated with the user who has received said content is checked at bother transmitting and receiving ends, and the execution of said content is allowed by removal of said electronic water mark if and only if the result of the checking indicates that said content is an authorized content.

(Emphasis added)

Wiser discloses a secure online music distribution system (see, e.g., abstract of Wiser). A media data file containing content to be distributed is watermarked (see, e.g., column 7, lines 4 – 15 of Wiser). A passport contains personal information of the user, encrypted with the user's registration key (see, e.g., column 9, lines 10 – 37). A media player extracts the encrypted registration key from the passport in order to decrypt the passport, extract an encrypted private key, and decrypt the private key with a registration key (see, e.g., column 19, lines 50 – 60). The decrypted private key may then be used to decrypt the media data file. Unlike Applicants' invention as claimed in claim 1, Wiser fails to disclose that the watermark operates to prevent execution of content by a user. Moreover, fails to disclose Applicants' claimed step of removing the watermark from the content in order to enable execution of the content by the user.

Lautenbacher discloses a method and system by which a network operator controls access to a software product for a user who is interconnected to the network (see, e.g., paragraphs [0026], [0027] of Lautenbacher. The software product is held by the network operator, until access is requested by the user (see, e.g., paragraphs [0047] – [0052]). After receiving an access request by the user, the network operator carries out a verification step including verification of user information, and provides access to the user upon successful completion of the verification step (see, e.g., paragraphs [0050] – [0052]). Lautenbacher provides no disclosure specific to the use of watermarks.

Floyd discloses a mechanism for affecting deliver-then-pay content distribution based on an individualized, secure certificate that is delivered to the client as a proof of purchase (see, e.g., abstract of Floyd). Floyd also provides no disclosure specific to the use of watermarks.

For these reasons, Applicants respectfully submit that none of the cited references, either alone or in combination, make obvious Applicants' content providing method as claimed in

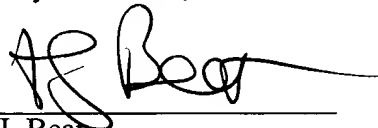
amended independent claim 1. As independent claims 2 – 5, 9, 10, 14 and 15 are amended to substantially include the limitations of claim 1 pertaining to watermarks, Applicants submit that amended independent claims 2 – 5, 9, 10, 14 and 15 are not made obvious by the cited references. Accordingly, Applicants submit that amended independent claims 1 – 5, 9, 10, 14 and 15 are currently allowable. In addition as claims 6, 7 and 11, 12 respectively depend from allowable claims 4, 5 and 9, 10, Applicants further submit that claims 6, 7 and 11, 12 are allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 – 7, 9 – 12, 14 and 15, consisting of independent claims 1 – 5, 9, 10, 14 and 15, and the claims dependent therefrom, is in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

CUSTOMER NUMBER 026304

Katten Muchin Zavis Rosenman
575 Madison Avenue
New York, NY 10022-2585
(212) 940-8729
Docket No: SCEI 18.303 (100809-16226)
TJB:pm